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1 **R277. Education, Administration.**

2 **R277-419. Pupil Accounting.**

3 **R277-419-1. Definitions.**

4 A. "Add-on WPU" means additional weighted pupil units earned
5 in accordance with the Minimum School Program Act, 53A-17a-104 in
6 the areas of special education, applied technology education, adult
7 education, youth-in-custody, and necessarily existent small
8 schools.

9 B. "Adult education" means organized public educational
10 programs, other than regular full-time and summer elementary and
11 secondary day school, which provide opportunities for adult and
12 out-of-school youth who have not graduated, to further their
13 education.

14 C. "Aggregate Days of Membership" means the sum of all days
15 of in membership of all students during a school year for the unit
16 of analysis.

17 D. "Alternative High School" means a non-standard high school
18 for students with special needs, interests, or learning styles,
19 which meets all of the following criteria:

20 (1) the local school has been officially designated as a high
21 school by the local board of education;

22 (2) a principal and staff are assigned to the school as a
23 primary assignment;

24 (3) extra costs are associated with the school such as
25 counseling staff, library, and other support costs;

26 (4) an approved applied technology education program is
27 operated at the school;

28 (5) the school is primarily for youth in continuous education
29 who have not graduated from high school but are working toward
30 graduation. Its programs qualify students as candidates for
31 graduation.

32 E. "Board" means the Utah State Board of Education.

33 F. "Continuous education" means regular full-time and summer
34 day school programs outlined by the Board for the purpose of

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35 students completing the education process.

36 G. "Dropout" means an individual in grades 7-12 who leaves a
37 public school or a district or state approved school program and is
38 not re-enrolled in or transferred to, as evidenced by an official
39 request for the student's records by the school or approved
40 program, a public school or a district or state approved school
41 program October 1 of the next school year. This definition does not
42 include a student who satisfies one or more of the exceptions
43 listed in Section 5B of this rule;

44 H. "FTE" means full time enrollment of a student for
45 computation of adult education funding.

46 I. "LEA" means a local education agency, including public
47 school districts, public charter schools, and post-secondary
48 institutions.

49 J. "Membership" means ~~the number of pupils to be~~ on the current
50 roll of a class or school as of a given date.:

51 (1) A pupil is a member of a class or school from the date of
52 entrance at the school and is placed on the current roll until
53 official withdrawal from the class or school because of completion,
54 dismissal, death, transfer, or administrative withdrawal.

55 (2) The date of withdrawal is the date on which it is
56 officially known that the pupil has left school for one of the
57 above reasons and is not necessarily the first day after the date
58 of last attendance.

59 (3) In no case may the date of withdrawal violate the Ten-day
60 Membership Rule, except for reasons of sickness, hospitalization,
61 pending court investigation or action, prior approved trip, or
62 earnest and persistent efforts of two or more contact hours per
63 week to keep a child in school with services provided by
64 certificated school district staff.

65 L. "NCES" means the National Center for Education Statistics,
66 a branch of the United States Department of Education.

67 K. "Part-time student" means a student carrying less than a
68 full course load, as determined by the Board or the local board of

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69 education.

70 L. "Pupil in Average Daily Membership (ADM)" means a full-day
71 equivalent pupil.

72 "School age" means a person who is:

73 (1) at least 5 years old by September 2; and
74 (2) less than 18 years old by September 2 in the year the
75 person would normally be expected to graduate from high school.

76 M. "School day" means a minimum of two hours per day per
77 session in kindergarten; and a minimum of four hours per day in
78 grades one through twelve. All school day calculations shall
79 exclude lunch periods and pass time between classes and may include
80 recess periods that include organization or instruction from school
81 staff. Each day a school is officially in session shall be counted
82 as a school day, regardless of the number or length of class
83 periods or whether or not particular classes meet such as the 8-
84 period per day high school classes.

85 N. "School Year" means a minimum of 990 hours of instruction
86 in a minimum of 180 school days required to qualify for full
87 minimum funding. The 180 school days shall be scheduled during the
88 12 month period beginning July 1, 1995 with the following
89 exceptions:

90 (1) The kindergarten program is a half-day program providing
91 a minimum of 450 hours of instruction in a minimum of 180 school
92 days during a school year to qualify for full minimum school
93 funding.

94 (2) In grade one, the school shall provide a minimum of 810
95 hours of instruction in a minimum of 180 school days during a
96 school year to qualify for full minimum school funding.

97 (32) An exception for schools using a modified 45-day 15-day
98 year round schedule is provided for in R277-419-8D.

99 P. "Statewide Student Identifier (SSID)" means an arbitrary
100 ten digit number which uniquely identifies the student among all
101 students who are currently or who have ever enrolled in a public
102 school in Utah and which is used in exchanging data among the USOE

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103 and LEAs.

104 O. "Ten-day Membership Rule" means subject to Section 1A, a
105 student shall not be counted in membership for funding purposes
106 after 10 consecutive school days of unexcused absences or that the
107 date of withdrawal shall not be later than the day after 10
108 consecutive school days of unexcused absences. Each day a school is
109 officially in session shall be counted as a school day, regardless
110 of the number or length of class periods or whether or not
111 particular classes meet such as the 8-period per day high school
112 classes.

113 "Unexcused absence" means a absence charged to a student when
114 the student was not physically present at school at any of the
115 times attendance checks were made in accordance with Section
116 3(B) (4) and the student's absence could not be accounted for by
117 evidence of a legitimate or valid excuse, in accordance with local
118 board of education policy on truancy as defined in 53A-11-101.

119 P. "USOE" means the Utah State Office of Education.

120 Q. "Weighted Pupil Unit (WPU)" means the unit of measure of
121 factors that is computed in accordance with the Minimum School
122 Program Act for the purpose of determining the costs of a program
123 on a uniform basis for each district.

124 **R277-419-2. Authority and Purpose.**

125 A. This rule is authorized under Utah Constitution Article X,
126 Section 3 which vests general control and supervision over public
127 education in the State Board of Education, by Section 53A-1-401(3)
128 which allows the Board to make rules in accordance with its
129 responsibilities, Section 53A-1-402(1)(e) which directs the Board
130 to establish rules and standards regarding cost-effectiveness,
131 school budget formats and financial, statistical, and student
132 accounting requirements, and Section 53A-1-404(2) which directs
133 that local school board auditing standards shall include financial
134 accounting and student accounting. This rule is further authorized
135 by Section 53A-1-301(3)(d) which directs the Superintendent to

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136 present to the Governor and the Legislature data on the funds
137 allocated to school districts, and Section 53A-3-404 which requires
138 annual financial reports from all school districts.

139 B. The purpose of this rule is to specify pupil accounting
140 procedures used in apportioning and distributing state funds for
141 education.

142 **R277-419-3. Operation.**

143 A. School districts are required to conduct school for at
144 least 990 instructional hours and 180 school days each school year.
145 The days or hours may be offered at any time during the school year
146 provided that each school day is consistent with R277-419-1(M),
147 July 1 to June 30, except for Sunday. A student who is in
148 membership in a regular school program for one full school year
149 generates the full WPU possible under the law. No student may
150 generate WPU monies for more than 990 hours in any school year.

151 B. Official records

152 (1) To determine membership, school districts shall ensure
153 that records of attendance are kept in each school which clearly
154 and accurately show the entry date, exit date and attendance record
155 of each student. These records shall show when a student has been
156 absent from school ten consecutive school days.

157 (2) All children with disabilities in [the]self-contained
158 programs shall be identified with their disability code, in the
159 individual school's records of attendance.

160 (3) Computerized or manually produced records for [applied
161 technology]career and technical education (CTE) programs shall be
162 kept by teacher, class and Classification of Instructional Program
163 (CIP) code. These records shall clearly and accurately show the
164 entry and exit date of each student and whether a student has been
165 absent from ~~school~~ a CTE class ten consecutive days.

166 (4) A minimum of one attendance check shall be made by the
167 school each school day.

168 C. Because of school activities requiring schedule and

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169 program modification during the first days and last days of the
170 school year, a district may report for the first five days,
171 aggregate days of membership equal to the number recorded for the
172 second five-day period of the school year. For the last three-day
173 period, a district may report aggregate days of membership equal to
174 the number recorded for the immediately preceding three-day period.

175 D. ~~School District~~ LEA Audits

176 (1) An independent auditor shall be employed under contract
177 by each ~~school district~~ LEA to audit its student accounting records
178 annually and report the findings to the ~~district local~~ board of
179 education and to the Finance and Statistics Section of the USOE;

180 (2) Reporting due dates and ~~suggested~~ forms and procedures
181 are found in the ~~Guidelines and Procedures for Conducting the~~
182 ~~Annual Statistical Audits of Fall Enrollment and Student Membership~~
183 ~~State of Utah Legal Compliance Audit Guide~~, provided to ~~school~~
184 ~~districts~~ LEAs by the USOE in cooperation with the State Auditor's
185 Office;

186 (3) The USOE shall review student membership and fall
187 enrollment audits as they relate to the allocation of state funds.

188 **R277-419-4. Basic Program Membership.**

189 A. In order to generate membership for funding through the MSP
190 Basic Program for any clock hour of instruction on any school day,
191 a person must:

192 (1) have not already earned a regular high school diploma or
193 completed all course taking requirements for such a diploma in
194 Utah;

195 (2) be enrolled in a basic program provided by a Utah LEA;
196 (3) not have unexcused absences on each of the prior ten
197 consecutive school days;

198 (4) be a resident of Utah;

199 (5) (a) be of school age;

200 (b) or, if above school age, be a retained senior due to
201 circumstances beyond the person's control; and

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202 (6) (a) be expected to attend a regular learning facility
203 operated or recognized by the LEA;

204 (b) or, if physically absent from such a facility for an
205 extended period of time, because of injury, illness, surgery,
206 suspension, pregnancy, pending court investigation or action, or
207 participation in an LEA-sponsored virtual school, must have direct
208 instructional contact with a licensed educator provided by the LEA
209 at the student's place of residence or convalescence for at least
210 two hours each week during the expected period of absence.

211 (B) LEAs shall report aggregate membership in the basic
212 program for each student via the School Membership field in the S1
213 record of the Year End upload of the Data Clearinghouse file. In
214 the Clearinghouse, aggregate membership shall be expressed in days:

215 (1) (a) For students in grades 1 through 12, days in membership
216 shall be calculated by the LEA using a method equivalent to the
217 following: total clock hours of instruction for the school year
218 divided by 990 hours and then multiplied by 180 days and finally
219 rounded up to the nearest whole day. For example, if a student was
220 served in the basic program for 900 hours during the school year,
221 the student's aggregate membership would be $(900/990)*180$, and the
222 district would report 164 days.

223 (b) For students in kindergarten, the formula is adjusted to
224 use 495 hours as the denominator.

225 (c) The sum of regular and self contained special education
226 membership may not exceed 180 days.

227 (2) Districts may also count a student in membership for the
228 equivalent of:

229 (a) up to one period each school day, if the student has been:
230 (i) released during the school day for religious instruction
231 or individual learning activity consistent with the student's SEOP;
232 (ii) exempted from school attendance under 53A-11-102 for home
233 schooling and the student participates in one or more
234 extracurricular activities under R277-438-4;

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235 (b) for up to four periods each school day, if the student is
236 enrolled in a YIC program with a YIC program code of ISI-2;
237 (c) for all periods each school day, if the student is
238 enrolled in:
239 (1) a YIC program with a YIC program code of RSM or ISI-1;
240 (2) a concurrent enrollment program that satisfies all the
241 criteria of R277-713;
242 (3) a private school without religious affiliation under a
243 contract which requires the instruction to be paid by public funds.
244 (4) an exchange student program under 53A-2-206 which requires
245 the student to participate in a one-to-one exchange (J-1 visa) with
246 a district student who is attending a school out of the country.

247 A. (1) For purposes of funding the regular basic school
248 program, a student can only be a pupil in average daily membership
249 once on any day. A student may be counted in full-time membership
250 in the regular school program, or full-time membership in some
251 other program, or in part-time membership in the regular school
252 program and part-time membership in some other program. If a
253 student's day is part-time in the regular school program and part-
254 time in some other program (e.g., Adult Basic Education, Youth in
255 custody), the student's membership is reported on a pro-rated basis
256 for each program. A student shall not be funded for more than one
257 regular WPU for any school year. However, in addition, add-on WPUs
258 may be generated

259 B. Full-time students in grades 2-12 may be in average daily
260 membership whenever district approved classes are available.

261 C. Minimum criteria for homebound/hospitalized services
262 (1) A student requiring homebound or hospitalized teacher
263 services shall receive a minimum of two contact hours of
264 instruction per week to qualify for full membership in the regular
265 program.

266 (2) A district shall provide the minimum of two contact hours
267 per week and document that contact or it may not claim the state

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268 ~~WPA for the student.~~

269 _____ (3) The circumstances requiring the services shall be clearly
270 stated and may include specific injuries, surgery, illness, other
271 disabilities, pregnancy, or a district determination that a student
272 should receive home instruction and supervision for a designated
273 period of time. The expected period of absence must be estimated
274 by the school.

275 _____ (4) A student with disabilities meeting these requirements
276 may be accounted for under the special education homebound
277 instruction program and receive the appropriate special education
278 funding.

279 _____ D. A student suspended in accordance with the law may be
280 counted in membership, after 10 consecutive days of suspension, if
281 the school continues to provide educational services at the minimum
282 level provided in R277-419-4C, above, to the student during the
283 suspension period.

284 _____ E. Student enrollment

285 _____ (1) the membership of students enrolled part-time in public
286 schools is determined by the ratio of the number of hours or
287 periods that the student is in membership per day or week to the
288 total number of hours or periods in the school day or week. For
289 example, a student in membership 3 periods in a 7 period school day
290 generates 3/7 membership.

291 _____ (2) to count membership in measuring eligibility for state
292 funds, enrollment of a public school student in either of the
293 following shall be counted as if the student were enrolled in a
294 public school class or classes during that portion of the school
295 day or week:

296 _____ (a) released time for religious instruction or individual
297 learning activity, shall not exceed the equivalent of one class
298 period per day and shall be consistent with a Student
299 Education/Occupation Plan signed by the student, parent/guardian,
300 and school representative;

301 _____ (b) a private school, not including a parochial school, under

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302 a contract between the private school and a public school district
303 which requires the instruction to be paid for from public funds.
304 Membership is calculated on the basis of fractional daily
305 membership;

306 (3) except as provided above, a student enrolled in a public
307 school and any of the following shall be credited for membership
308 for state funding purposes only for the public school portion of
309 the school day:

- 310 (a) a private school;
311 (b) a home school.

312 F. A student concurrently enrolled in a post-secondary higher
313 education institutions and the public schools during a year may be
314 counted in membership if the public school approves the post-
315 secondary program and receives the progress reports and membership
316 and attendance reports from the institution.

317 G. Districts may claim membership for students who are
318 regularly enrolled in youth in custody classes, and who are also
319 regularly enrolled during other times of the day in non-youth in
320 custody classes. If the student is enrolled in YIC classes for up
321 to two hours a day, the district may claim full membership; from
322 two to four hours, 1/2 membership; for more than four hours, no
323 membership. No subtraction in district membership shall be made for
324 students who are enrolled in youth in custody classes for two or
325 fewer hours per day or who receive tutoring, tracking, or other
326 support services which do not result in a reduction in regular
327 class enrollment.

328 H. The district providing the educational services for the
329 following students may count them in full membership:

330 (1) students between the ages of five and eighteen who are
331 residents of another school district in the state, who have
332 received written permission for entry from the receiving district,
333 and for whom the receiving district has given written notification
334 to the board of education of the district of residence and
335 resident district does not include students in membership count;

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336 (2) exchange students under Section 53A-2-206 which requires
337 the student to be sponsored by an agency approved by the Board
338 prior to the students' arrival in the United States; and
339 (3) students beyond the age of eighteen remaining in
340 continuous education.

341 I. High school completion options and funding

342 (1) Students eighteen years of age or over who have not
343 graduated from high school with their graduating class shall not be
344 enrolled as continuous education students, except students who do
345 not graduate with their graduating class due to:

346 (a) sickness;

347 (b) hospitalization;

348 (c) pending court investigation or action or both;

349 (d) other extenuating circumstances beyond the control of the
350 student; or

351 (e) special education students attending school in accordance
352 with the provisions of a valid Individualized Education Program
353 (IEP) who may be enrolled until age 22 or until graduated. School
354 districts are encouraged to handle these students in the regular
355 programs with approval by the local boards of education.

356 (2) A student under eighteen years of age who has not
357 graduated and who is a resident of the district, may, with approval
358 under the state administered Adult Education Standards, enroll in
359 the Adult Basic and Adult High School Completion Program and
360 generate regular state WPUs at the rate of 990 clock hours of
361 membership per one weighted pupil unit per year, 1 F.T.E. on a
362 yearly basis. The clock hours of students enrolled part time must
363 be pro-rated;

364 (3) A student eighteen years of age or over who has not
365 graduated, who is domiciled in the state of Utah, and who intends
366 to graduate from high school, may, with approval under the state
367 administered Adult Education Standards, enroll in the State Adult
368 High School Completion Program and attend up to 990 clock hours of
369 membership per year, 1 F.T.E. on a yearly basis. Weighted pupil

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370 units are generated for Adult High School Completion students at
371 the rate of 72 days or 396 clock hours of membership per WPU.

372 (a) The clock hours of students enrolled part time must be
373 pro-rated.

374 (b) As an alternative, equivalent weighted pupil units may be
375 generated for competencies mastered on the basis of prior
376 authorization of a district plan by the Adult Education and USOE
377 School Finance and Business Sections.

378 (c) The ten-day membership rule of R277-419-1(0) for Adult
379 High School Completion students is 10 clock hours.

380 J. Applied Technology Class Attendance

381 (1) A student may be in a full-time membership and generate
382 the regular WPU even though spending part of the day at an applied
383 technology center Utah college of applied technology.

384 (2) Students may generate regular WPUs hour-for-hour spent in
385 bus travel to and from applied technology centers, if the students
386 are traveling during their regular school day.

387 (3) Add-on WPUs are generated during approved applied
388 technology instruction, but not during bus travel.

389 K. Alternative High School Membership

390 (1) The following conditions shall exist in order to generate
391 WPUs for Alternative High School Membership:

392 (a) the Alternative High School must have on file an
393 assignment transfer from the district of residence for eligible
394 students; and

395 (b) only students in continuous education generate regular
396 WPUs.

397 (2) Students involved only with course work at the school
398 have ADM calculated in the same manner as part-time or full-time
399 students in the regular school;

400 (3) A student whose program consists of seminars or course
401 work part time and participating in work experience part time in
402 the community with or without pay, has ADM computed by dividing the
403 hours of membership by 990. For the purposes of computing ADM,

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404 work experience is limited to a maximum of ten hours per week;
405 (4) Students who are engaged in independent or home study
406 have ADM calculated by dividing the student contact credits earned
407 from independent study by the number of contact credits earned by
408 a regular full time student during the regular school year in the
409 district. For example, to determine the fraction of one ADM for
410 which a student will be counted, if in the high school a full-time
411 student earns seven contact credits, seven is the denominator and
412 the numerator will be the contact credits earned from independent
413 study.

414 **R277-419-5. Dropout Determination.**

415 A. The Board shall use the U.S. Department of Education,
416 National Center for Education Statistics, Common Core of Data
417 Committee's dropout definition and reporting procedures available
418 in the annual Instructions for Completing the Nonfiscal Surveys of
419 the Common Core of Data from the Finance Section of the USOE NCES.

420 B. School districts LEAs shall provide the dropout data as
421 specified in the Fall Enrollment Report Data Clearinghouse
422 documentation beginning with the 1997 report Year End 2005 update.

423 BC. A student in grades 7-12 enrolled during the school year
424 shall be reported as a dropout for that school year if the student
425 does not complete the school year, unless the student:

426 (1) is enrolled on October 1 of the following school year;
427 (2) is not in attendance due to suspension, illness, or other
428 extenuating circumstances beyond the control of the student,
429 provided that the school is officially notified and services are
430 provided but receives services consistent with this rule Section
431 6(B);

432 (3) transfers to another public school, a state or district
433 approved program, or a regularly organized private school, as
434 evidenced by an official request for the student's records by the
435 receiving school by October 1 of the following year;

436 (4) transfers to a home school, if the student receives a

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437 release annually from the public school district of residence, and
438 the student provides verification to the school district's
439 satisfaction that the student is being taught consistent with
440 Section 53A-11-102;

441 (5) graduates early, or, if the student is a senior, graduates
442 during the summer immediately following the senior year; or

443 (6) dies.

444 ~~ED.~~ A student who completes the school year in grades 7-12,
445 but is not enrolled on October 1 of the following year, is reported
446 as a dropout for the year and grade for which the student fails to
447 enroll. The student is commonly known as a summer drop-out or fall
448 no-show.

449 **R277-419-6. School Completion.**

450 A. An individual is recorded as completing school when the
451 student graduates in the traditional sense from high school or
452 completes a state or district approved educational program and
453 receives official recognition of graduation or completion from
454 school administrators.

455 (1) State or district approved programs may be special
456 education programs as defined by the student's IEP consistent with
457 the law, home school when officially authorized on an annual basis
458 by school or district administrators, GED preparation, Youth in
459 Custody, alternative high school programs, and adult high school
460 programs.

461 (2) Adult or alternative high school may be a combination of
462 traditional high school credits, GED credits and adult or
463 alternative high school credits.

464 B. Approval of programs for school completion--presentation
465 of a high school diploma and participation in formal graduation
466 exercises--are solely within school district discretion consistent
467 with the law and Board rules.

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469 **R277-419-7. Student Identification and Tracking.**

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470 _____ School districts shall request all students to provide the
471 district with a social security number for purposes of
472 identification and electronic record transfer. LEAs shall comply
473 with all policies and practices specified by the USOE for the use
474 of the SSID, beginning with 2005-06 school year, in order to ensure
475 the state's capacity, consistent with its obligations under 53A-1-
476 301(e), to track students across district boundaries and years for
477 the purpose of calculating individual student growth in academic
478 performance and properly attributing accountability to schools for
479 that growth.

480 **R277-419-8. Variances.**

481 A. An exception may be made at the discretion of the local
482 board, in the length of the school day for students with unusual
483 problems. The time an excepted student is required to be in school
484 is established in view of the student's particular needs shall be
485 established by the student's IEP or SEOP.

486 B. Emergency/activity/weather-related exigency time should be
487 included planned for in a school district's annual calendaring for
488 each school. If school is closed for any reason, the instructional
489 time missed shall be made up under the emergency/activity time as
490 part of the minimum required time to qualify for full funding.

491 C. Staff Planning Time, Parent-Teacher and Student Education
492 Plan (SEP) Conferences.

493 (1) To provide planning time for staff, districts may hold
494 school longer some days of the week and shorter other days so long
495 as minimum school day requirements as provided in R277-419-1M are
496 satisfied.

497 (2) Schools may conduct parent-teacher and student education
498 plan conferences during the school day.

499 (3) Such conferences may only be held for a total of the
500 equivalent of three full school days or a maximum of 16.5 hours for
501 the school year. ADM is counted as that of the previous school
502 day.

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503 (4) The final decision and approval regarding planning time,
504 parent-teacher and SEP conferences rests with the local board of
505 education, consistent with Utah law and Board administrative rules.

506 D. A school participating in the School Professional
507 Development Days Pilot Program, consistent with R277-418, may use
508 a maximum of 22 hours of the 990 hours of student instructional
509 time required under R277-419(1)N for professional development days.
510 Use of this time, consistent with R277-418, requires prior Board
511 approval.

512 DE. A school using a modified 45-day 15-day year round
513 schedule initiated prior to July 1, 1995 shall be considered to be
514 in compliance with this rule if a school's schedule includes a
515 minimum of 990 hours of instruction time in a minimum of 172 days.

516 **KEY: education finance, school enrollment**

517 **August 15, 2003** **Art X Sec 3**

518 **Notice of Continuation October 18, 2002** **53A-1-401(3)**

519 **53A-1-402(1) (e)**

520 **53A-1-404(2)**

521 **53A-1-301(3) (d)**

522 **53A-3-404**